

Message Text

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46

ACTION EA-14

INFO OCT-01 ADP-00 INRE-00 PM-09 NSC-10 SS-14 RSC-01 L-03

CIAE-00 INR-09 NSAE-00 PA-03 USIA-12 PRS-01 RSR-01

/078 W

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P 151047 Z MAR 73

FM AMEMBASSY MANILA

TO SECSTATE WASHDC PRIORITY 3797

INFO SECDEF PRIORITY

CSAF ' ACI PRIORITY

NAVY JAG PRIORITY

CINCPAC PRIORITY

CINCPACAF PRIORITY

CINCPACREPPHIL PRIORITY

13 AF PRIORITY

405 CSF PRIORITY

C O N F I D E N T I A L MANILA 3023

E. O. 11652 GDS

TAGS MARR, PINT, PFOR, RP

SUBJECT; DISTRIBUTION OF MARCH ISSUE OF OUI MAGAZINE IN PHIL-
IPPINES

1. A SERIOUS PROBLEM HAS ARISEN IN RELATION TO THE MARCH
ISSUE OF OUI MAGAZINE WHICH INCLUDES AN ARTICLE ENTITLED
" THE BRAVE NEW PHILIPPINES" AND ITS DISTRIBUTION THROUGH
MILITARY DISTRIBUTIONN POINTS WITHIN THE RP. ACTION WAS
PLANNED BY 405 CSG CLARK AIR BASE AFTER DISCUSSION AND
COORDINATION WITH EMBASSY AND LEGAL OFFICER AT SUBIC TO
WITHHOLD OR DIVERT TO OTHER DESTINATIONS COPIES PROVIDED FOR
THE PHILIPPINES. IT WAS CONSENSUS THAT BECAUSE CLARK WAS THE
FOCAL POINT AT WHICH DISTRIBUTION WAS MADE THAT THEY WERE THE
ONES THAT WOULD NEED TO TAKE THE AFFIRMATIVE ACTION. CINCPAC
WAS NOTIFIED OF THE ACTION BY STARS AND STRIPES. CINCPAC THEN
POINTED OUT DOD INST. 1325.6 PARA II A.1 WHICH
STATES, " A COMMANDER IS NOT AUTHORIZED TO PROHIBIT THE
DISTRIBUTION OF A SPECIFIC ISSUE OF A PUBLICATION DISTRIB-
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UTED THROUGH OFFICIAL OUTLETS SUCH AS POST EXCHANGES AND MILITARY LIBRARIES". CINCPACREPPHIL HAD AT FIRST FULLY SUPPORTED CLARK AIR BASE PROPOSAL BUT ON RECEIPT OF CINCPAC MESSAGE WITHDREW CONCURRENCE.

2. ALTHOUGH THE EMBASSY APPRECIATES THE REASONS FOR SUCH A GENERAL PROHIBITION, IT SEEMS INCONCEIVABLE THAT SUCH WAS MEANT TO COVER THE TYPE OF ARTICLE IN QUESTION, OR AT LEAST THAT AN EXCEPTION TO THE GENERAL RULE IS NOT POSSIBLE UNDER THE FACTS AND CIRCUMSTANCES.

3. THE OUTRAGEOUS ARTICLE ITSELF IS NOT POLITICALLY ORIENTED IN THE USUAL SENSE OF THE TERM. IT IS CLEARLY DEFAMATORY OF THE CHIEF OF STATE OF A FRIENDLY FOREIGN POWER AND CAN ONLY BE DESCRIBED AS AN EXPOSE ON HIS SEXUAL LIFESTYLE. IT WILL NOT BE DISTRIBUTED ON THE LEGITIMATE CIVILIAN MARKET IN THE PHILIPPINES AND THE ONLY TWO METHODS FOR THE AGENCIES TO ENTER THE PHILIPPINES IS BY SMUGGLING OR BY ENTRY THROUGH THE STARS AND STRIPES DISTRIBUTION CENTER AT CLARK AIR BASE AND ITS SUBSEQUENT SALES (1800 COPIES) AT STARS AND STRIPES OUTLETS AT SUBIC AND EMBASSY COMPOUND IN MANILA.

4. DISTRIBUTION WOULD NOT ONLY BE CONSIDERED A DIRECT INSULT TO THE CHIEF OF STATE BUT COULD VERY WELL RESULT IN INDIVIDUAL U. S. FORCES PERSONNEL PURCHASERS BEING INDICTED UNDER MARTIAL LAW CONSTRAINTS FOR POSSESSION OF SUCH MATERIAL IF FOUND IN THEIR POSSESSION OUTSIDE THE VARIOUS BASES. THIS LAST POINT SHOULD BE STRESSED BECAUSE IT WILL BE VERY TEMPTING FOR INDIVIDUALS TO SHOW THE ARTICLE AROUND WITH THE INCREASED POSSIBILITY OF BEING CHARGED FOR POSSESSION OF SUCH. IT IS DEFINITELY AN "ATTRACTIVE NUISANCE" FOR BLACKMARKETING, AS THE MAGAZINE CAN EASILY BE SOLD FOR FROM THREE TO FIVE TIMES ITS INITIAL COST AND THERE WOULD NOT BE A LACK OF WILLING BUYERS.

5. IN ADDITION IT IS UNNECESSARILY RISKING A PRIVILEGE WHICH WE NOW ENJOY IN THE PHILIPPINES WITH PRACTICALLY NO DIFFICULTY. DISTRIBUTION OF ALL PUBLICATIONS HAS GONE ON UNHINDERED, INCLUDING PUBLICATIONS CONTAINING ARTICLES CRITICAL OF THE PHILIPPINES, MARTIAL LAW, AND THE
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PRESIDENT OF THE PHILIPPINES , AT THE SAME TIME AS DISTRI-

BUTION OF SOME OF THESE PUBLICATIONS WAS NOT PERMITTED IN THE PHILIPPINES PROPER. THE PRESENT ARTICLE IS JUST PLAINLY NOT IN THAT CATEGORY. THE PHILS HAVE NOT MADE ANY REQUESTS TO BAN THIS PUBLICATION, BUT IT IS CONSIDERED IN SUCH BAD TASTE AND CANNOT POSSIBLY HELP US/ RP RELATIONS. THE ACTION PLANNED BY CLARK AIR BASE IS THE ONLY REASONABLE COURSE.

6. THE AMBASSADOR STRONGLY SUPPORTS AND ENDORSES THE ACTION PROPOSED BY CLARK AIR BASE. IT IS IMPERATIVE THAT RAPID AND REALISTIC EVALUATION BE MADE OF THE PROBLEM IN WASHINGTON AND DETERMINATION MADE THAT EITHER (1) THE DOD INSTRUCTION WAS NEVER MEANT TO COVER THESE CIRCUMSTANCES, OR (2) THAT AN EXCEPTION IS DICTATED BY THE FACTS OF THE CASE.
BYROADE

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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts:
Control Number: n/a
Copy: SINGLE
Draft Date: 15 MAR 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: thigpegh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973MANILA03023
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: n/a
Film Number: n/a
From: MANILA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19730330/aaaahxcw.tel
Line Count: 134
Locator: TEXT ON-LINE
Office: ACTION EA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: thigpegh
Review Comment: n/a
Review Content Flags:
Review Date: 03 DEC 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <03-Dec-2001 by shawdg>; APPROVED <14-Dec-2001 by thigpegh>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> srp 971210
Subject: DISTRIBUTION OF MARCH ISSUE OF OUI MAGAZINE IN PHILIPPINES
TAGS: MARR, PFOR, PINT, RP
To: EA
SECSTATE WASHDC INFO CINCPAC
DOD
MULTIPLE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005